

McGREGOR W. SCOTT  
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IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	CR. NO. S-05-167 DFL
	)	
Plaintiff,	)	MOTION AND ORDER
	)	DISMISSING INDICTMENT
v.	)	
	)	
JOSEPH McELROY,	)	
	)	
Defendant.	)	
_____	)	

The United States of America, by and through its undersigned attorney, Kenneth J. Melikian, Assistant United States Attorney, respectfully requests that this Court dismiss the above-captioned Indictment, without prejudice, against defendant JOSEPH McELROY.

This motion is made pursuant to the provisions of Rule 48(a) of the Federal Rules of Criminal Procedure.

DATED: February 13, 2007

McGREGOR W. SCOTT  
United States Attorney

By: /s/ Kenneth J. Melikian  
KENNETH J. MELIKIAN  
Assistant U.S. Attorney

O R D E R

IT IS ORDRED THAT the above-captioned Indictment be and is hereby dismissed, without prejudice, against JOSEPH McELROY.

DATED: 2/13/2007

  
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DAVID F. LEVI  
United States District Judge

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